

102 KAR 1:168. Survivor's benefits.

RELATES TO: KRS 161.520

STATUTORY AUTHORITY: KRS 161.310, 161.520

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.310 requires the Board of Trustees of the Teachers' Retirement System (TRS) to promulgate administrative regulations for the administration of funds of the retirement system. KRS 161.520(8) requires the board to promulgate administrative regulations for the administration of survivor's benefits for a deceased member's spouse, dependent parent or dependent sibling. KRS 161.520(7) provides that the board may require application for survivor's benefits. This administrative regulation establishes the guidelines for applying for survivor's benefits.

Section 1. (1) If a deceased member's survivor meets the requirements set forth in KRS 161.520(1), (4), or (5), an Application for Survivor Benefits form may be filed and shall include a photocopy of:

- (a) The survivor's signed Social Security card;
- (b) The survivor's certified birth certificate; and
- (c) The deceased member's certified death certificate.

(2) If the survivor is a dependent parent or dependent adult sibling, the application shall also include a copy of the most recent Federal Income Tax Return listing the parent or sibling as a dependent.

(3) If the survivor is the deceased member's spouse, the application shall also include a copy of the parties' certified marriage certificate.

(4) If the application is approved, the survivor's monthly payment shall continue until one (1) of the conditions for termination of benefits in KRS 161.520(6) is met.

(5) If the surviving spouse or legal dependent meets the requirements of KRS 161.525, he or she may elect to receive an actuarially equivalent annuity. The annuity shall be calculated, processed, and disbursed in accordance with the provisions of KRS 161.525.

(6) Payments shall not be made until all required information, documents, and completed forms are received at the retirement system office.

Section 2. Incorporation by Reference.

(1) The "Application for Survivor Benefits" Form 15, January, 2019 is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Teachers' Retirement System, 479 Versailles Road, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 5 p.m. (45 Ky.R. 2527, 3047; eff. 5-31-2019; Crt eff. 7-3-2019.)